

Council bans transgender bias; opponents plan to lobby for veto

BY JANEL DAVIS
AND C. BENJAMIN FORD
STAFF WRITERS

The County Council approved a controversial anti-discrimination provision broadening the county's human rights laws to include transgender people in an 8-0 vote Tuesday.

Gone from the legislation is a provision banning discrimina-

tion against transgender individuals in public bathrooms and locker rooms.

The vote ended more than a month of heated and emotional protests over the legislation. The bill leaves it up to managers of public facilities to decide who is accommodated in restrooms and locker rooms. The bill next goes

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TRANSGENDER

to County Executive Isiah Leggett (D), who is expected to sign the legislation, and would take effect 90 days later. The county's Commission on Human Rights could order violators to pay damages.

The vote took just a few minutes, after an opening statement by Councilman Roger Berliner (D-Dist. 1) of Potomac, who was filling in for Councilman George L. Leventhal (D-At large) of Takoma Park, who was absent Tuesday following a car accident more than a week ago. No additional council comments were made before the vote, and most council members quickly left the room afterwards.

Nevertheless, several members of a packed audience yelled criticisms after council members.

"Heil Hitler!" Adol T. Owen-Williams II, a Montgomery County Republican Central Committee member, shouted immediately after the vote from his third-row seat in the council chamber "Wait until little girls start showing up dead all over the county because of freaks of nature."

Angry shouts from other protesters followed the council out of the room.

As approved, the bill would prohibit discrimination against transgenders in housing, employment, cable television service and taxi service.

After aggressive lobbying efforts, e-mail and letter campaigns and radio segments from critics, a council health committee, headed by Leventhal, removed the public accommodations provision from the legislation late last week. But critics said the change does little to protect women and children.

They say the new law means women and girls would be exposed to male genitalia either from transgender people who had not yet undergone a sex change operation or from men who would claim to be transgender in order to gain access to locker rooms and restrooms from which they would normally be prohibited.

Councilwoman Duchy Trachtenberg, who sponsored the bill, said the legislation is similar to laws in about 100 other communities where there have been no incidents such as the ones the critics say could occur.

"It's hyperbolic hypothetical rhetoric," Trachtenberg (D-At large) of North Bethesda said.

"If a daughter comes out and tells her father that a man is in there exposing himself, somebody could end up getting hurt," said Michelle Turner, spokeswoman for Citizens for a Responsible Curriculum, which also protested the county schools sex-education curriculum. "He's liable to go in there fists swinging."

But protesters disagreed over who should be allowed in restrooms and locker rooms. Turner said CRC is opposed to discrimination of transgender people and those who have undergone surgery should be allowed to use the restrooms and locker rooms appropriate to their anatomy.

Other protesters said transgender people should either use a restroom appropriate to their original gender or find a private bathroom.

"There are places that have family restrooms where they can be locked [for privacy] when in use," said Sue White, 48, of Darnestown. "Perhaps they could use those."

Rosemarie Briggs, 38, of North Potomac, executive director of the Family Leader Network, said the language of the bill is too open, meaning people could use any restroom they wanted.

Trachtenberg said the debate over the restrooms reminded her of similar complaints she heard in the 1970s over the Equal Rights Amendment.

"They were saying then if it passed, women would have to use the men's room," she said.

Before the vote on Tuesday, CRC and other opponents of the legislation held a protest outside the council building, a demonstration that drew about 15 people, and nearly as many reporters and photographers.

When one transgender woman, Gennifer Edwards, 51, showed up, protesters complained when reporters began interviewing her. They stood behind her with their signs and shouted.

Edwards said a law protecting transgender people is needed. "You don't know discrimination until you've been spit on in a public street," she said.

Edwards said she could not imagine that any person undergoing a transition in gender would use a public restroom or locker room until after the change was complete.

Following the vote, the protesters vowed to press Leggett to veto the bill.



Trachtenberg